U.S. Environmental Protection Agency
Design & Cleanup Progress Report No. 7
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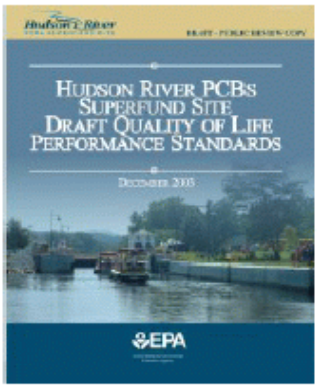
Highlights:

EPA Finalizes Quality of Life Performance Standards for Hudson River Cleanup (June 2004)



On June 3 EPA released its final quality of life performance standards for the Hudson River cleanup. Performance standards for air quality, odor, lighting, navigation and noise were developed by EPA to reduce the potential quality of life impacts of dredging, sediment processing, transferring and dewatering, and support operations on people, businesses, recreation, and community activities in and along the Upper Hudson River.

Development of the final standards included the December 19, 2003 release of draft quality of life performance standards to the public for a 60-day review and comment period. The draft standards were subsequently revised based on public comments. Changes to the draft standards include the following:

- the final standards clarify complaint resolution procedures and specify that the complaint management program will be included in the community health and safety plan.

Quality of Life Performance Standards

Air Quality	The standard for air quality addresses the potential exposure of both adults and children in the project area to emissions from the project. The goal of the air quality standard is to minimize effects on people's health and the environment from air emissions during the cleanup.
Odor	Odors may be generated by equipment and cleanup activities. The standard for odor is designed to minimize unwanted odors from the project.
Lighting	Lighting systems will be used to illuminate cleanup operations on the river and at the sediment processing/transfer facilities. The standard for lighting is intended to minimize the effects of artificial lighting systems on surrounding communities.
Navigation	The Hudson River will be used by public, commercial, and project-related vessels during the cleanup. The navigation standard is designed to avoid unnecessary interference with or the slowdown of non-project vessels that are within the project area.
Noise	Many of the activities associated with the removal of PCB-contaminated sediments will produce noise. The principal objective of the noise performance standard is to minimize the effects of noise on the quality of life in the surrounding communities. The noise standard for residential and commercial/industrial areas varies depending on the source of the noise and the location of people who might hear it.

- the final air quality standard now explicitly states that for mixed commercial and residential areas, the residential standard for PCBs will apply. The residential standard will also apply to commercial or industrial locations where children may be present for extended periods of time.

- turnaround times for analysis of PCB concentrations in the air were reduced from 72 hours to 24 hours during startup or changes of operations.

- EPA added low and ultra-low sulfur fuel as examples of alternative fuels that can potentially be used to reduce emissions from project equipment.

- for the noise standard, EPA clarified that the required monitoring frequency for noise is a minimum of once every four hours, and noted that more frequent monitoring may be needed to evaluate changes in operations and complaints.

- for the navigation standard, EPA added that receipt of a complaint will trigger additional response measures and may trigger additional monitoring.

The final standards are now being incorporated into the dredging project design plans being prepared by General Electric Company (GE) under an agreement with EPA. EPA is reviewing the design plans for consistency with the quality of life performance standards and will oversee cleanup activities to ensure that they are met.

The final quality of life performance standards are available at www.epa.gov/hudson/quality_life.htm, at the information repositories listed on the back page, or by calling the Hudson River Field Office at (518) 747-4389.

EPA Recommends Sites for Use as Dewatering Facilities in Hudson River Cleanup (April 2004)

On April 28 EPA recommended three sites for possible use as sediment processing/transfer ("dewatering") facilities needed for the Hudson River PCBs cleanup. The recommended sites[1] were among five sites that were found by EPA to be suitable for use as dewatering facilities. Suitable sites[2] are those that met the engineering criteria and environmental characteristics needed for a dewatering facility. The Recommended Sites are proposed for further, detailed evaluation during the Phase 1 intermediate design and will be assessed against additional key project design evaluations (e.g., sediment transportation logistics, material handling, determination of dredging methods, etc.). One or more of these sites will ultimately be selected after EPA has reviewed and fully considered all public comments it has received (see below).

The five suitable sites were among the seven final candidate sites that were identified in September 2003 and subsequently evaluated by EPA. Two of the seven final candidate sites have been eliminated by EPA from further consideration[3]. Each of the seven final candidate sites was evaluated using:

- engineering criteria (sufficient space for facility construction and operations; river, road and rail access; availability of utilities; and proximity to the areas that will be dredged)
- additional criteria (sensitive or cultural resources, existing and historic land uses, rare or unique ecological communities, threatened and endangered species, ease of purchasing/land ownership, wetlands, geology or surface features, and mapped 100-year flood plain or floodway data)
- a final set of criteria, which was added to identify the suitable and recommended sites. The criteria included key design and logistical considerations such as usable space, rail yard and waterfront suitability, site characteristics and conditions, road access, and river navigation

A 90-day public comment period on the *Draft Facility Siting Report* began May 3 and ran through July 31. EPA extended the original 60-day comment period to 90 days upon receiving requests from the public for additional review time.

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[1] ***- Recommended Sites***

Energy Park/Longe/New York State Canal Corporation	Ft. Edward, Washington County
Bruno/Brickyard Associates/Alonzo	Schaghticoke, Rensselaer County
OG Real Estate	Bethlehem, Albany County

[2] ***- Sites Being Retained as Suitable, But Not Recommended at this Time***

Old Moreau Dredge Spoils Area	Moreau, Saratoga County
New York State Canal Corporation/Allco/Leyerle	Halfmoon, Saratoga County

[3] ***- Eliminated Sites***

Georgia Pacific	Greenwich, Washington County
State of New York/First Rensselaer/Marine Management	Rensselaer, Rensselaer County

Approximately 2,000 written comments on the *Draft Facility Siting Report* were submitted to EPA during the comment period. EPA is currently evaluating all comments received and is preparing responses to those comments. Additional public input was received at the nine public meetings that EPA held on each of the five suitable sites.

Facility Siting Public Meeting Dates & Locations

May 11 - Meeting in Ft. Edward on the Energy Park/Longe/NYSCC Site Located in Ft. Edward

May 12 - Meeting in Stillwater on the Bruno/Brickyard Assoc./Alonzo Site Located in Schaghticoke

May 13 - Meeting in Delmar on the OG Real Estate Site Located in Bethlehem

May 18 - Meeting in South Glens Falls on the Old Moreau Dredge Spoils Area Site Located in Moreau

May 19 - Meeting in Clifton Park on the NYSCC/Allco/Leyerle Site Located in Halfmoon

June 16 - Meeting in Schaghticoke on the Bruno/Brickyard Assoc./Alonzo Site Located in Schaghticoke (this was the second meeting on this site)

June 23 - Meeting in Halfmoon on the NYSCC/Allco/Leyerle Site Located in Halfmoon (second meeting on this site)

July 15 - Meeting in Delmar on the OG Real Estate Site Located in Bethlehem (second meeting on this site)

July 27 - Meeting in Ft. Edward on the Energy Park/Longe/NYSCC Site Located in Ft. Edward (this was the second meeting on this site)

The facility-siting process has included coordinating and communicating with various groups over the course of the process, including the public, state and federal agencies, and GE. Final selections for Phase 1 and Phase 2 dredging dewatering sites for the sediment processing/transfer and rail yard facilities is expected in late Fall 2004. It is possible that the site(s) selected for Phase 1 dredging would also support Phase 2 activities.

Detailed information on the sites which were evaluated and the facility siting process can be found in the *Draft Facility Siting Report* and in six fact sheets that have been prepared by EPA to assist the public (available at epa.gov/hudson/facility_siting.htm, at the information repositories listed on the back page, or by calling the Hudson River Field Office.)

EPA Finalizes Dredging Performance Standards (April 2004)

On April 20, EPA released its final engineering performance standards, which were developed to ensure that the dredging of the Hudson River is done safely and on schedule, and which incorporate input from the public and peer reviewers. The engineering performance standards regulate three aspects of the dredging along a 40-mile stretch of the Upper Hudson: dredging-related resuspension of sediments from the river bottom, residual levels of PCBs after dredging occurs, and the productivity of the dredging work.

In October 2003 EPA submitted the draft engineering performance standards for peer review by

a panel of independent experts. The October 2003 draft standards included revisions that resulted from public comment. Concurrent with the April 20, 2004 release of the final engineering performance standards, EPA released its *Response to Peer Review Comments*, a document in which EPA either describes how the peer reviewers' comments were incorporated or provides the technical rationale for not incorporating a comment. The *Response to Peer Review Comments* contains a summary of the changes made to the October 2003 draft engineering performance standards.

A report was prepared by Eastern Research Group, Inc. (ERG), under contract to EPA, which summarizes the independent peer review of EPA's draft engineering performance standards for cleanup of the Hudson River PCBs Superfund site. The *Report on the Peer Review* was prepared as a general record of discussion for the January 27–29, 2004 peer review meeting in Saratoga Springs, New York.

Both the *Response to Peer Review Comments* and the *Report on the Peer Review* are available on the project Web site (www.epa.gov/hudson), at the information repositories listed on the back page, or by calling the Hudson River Field Office.

The experience and information gained during Phase 1 of the dredging (the first year of the six-year dredging program) will be made available to the public and will also be the subject of a peer review. This peer review will evaluate how well the project met the engineering performance standards during Phase 1, to assist EPA in deciding if adjustments need to be made to the operations or standards prior to the second phase of dredging.

Preliminary Design for Hudson River Cleanup Approved (April 2004)

EPA approved, and on April 20 it released, the *Preliminary Design Report*. This report was prepared by GE. It presents the first stage of the design for the Hudson River PCBs Superfund site cleanup and includes a preliminary description of options for Phase 1 and Phase 2 dredging operations, including sediment removal and disposal. It evaluates the full spectrum of existing dredging technologies, including dredging equipment, resuspension control measures, material handling and processing, dewatering and water treatment processes, transport to disposal locations, composition of backfill and capping materials, and habitat replacement. The preliminary design also reflects commitments made in the ROD including no transport of processed sediment by truck and the disposal of dredged material outside the Hudson River Valley.

The *Preliminary Design Report* is available on the project Web site (www.epa.gov/hudson), at the information repositories listed on the back page, or by calling the Hudson River Field Office.

Dave King Selected to Head Up EPA's Hudson River Field Office (March 2004)

The selection of David H. (Dave) King as the Director of EPA's Hudson River Field Office in Ft. Edward, N.Y. was announced by EPA on March 31. He started his position there on April 5, joining EPA's Hudson River Team from his position as the Executive Director of State University of New York (SUNY)'s Center for Brownfield Studies. Dave King has served in several state government positions, including as the Assistant Director for Solid and Hazardous Waste at the Department of Environmental Conservation. There he was responsible for the regulation of solid waste and the cleanup of active and inactive hazardous waste sites throughout the state. Dave King also served in various positions in the private sector including as the Executive Director of Environmental Affairs at the Niagara Mohawk Power Corporation.

Dave King is a resident of Rensselaer County. He holds a B.A. in Civil Engineering from the Rensselaer Polytechnic Institute in Troy, and is a licensed Professional Engineer in New York, Vermont and Mississippi. Dave King is assisted in the field office by Leo Rosales, EPA's Ft. Edward-based Community Involvement Coordinator for the site, and by Danielle Adams and Joanne Fowler, both of whom are with Ecology & Environment.

Dave King has been building on the exceptional legacy of his predecessor and friend, N.G. Kaul, who passed away on February 25, 2004. N.G. Kaul, a former director of the New York State Department of Conservation's Division of Water, was selected by EPA to head the field office in April 2002. N.G. was a gifted leader in environmental protection in New York. His commitment to his work and the mission of protecting public health and the environment was unmatched. N.G. helped lead EPA's efforts to restore the health and ecological vitality of the Hudson River. He did so with intelligence, sophistication, grace and charm.

Community Advisory Group Holds Monthly Meetings on Hudson River PCBs Site

A Community Advisory Group (CAG) was established for the Hudson River PCBs Superfund Site in January 2004. It is a diverse group that represents a variety of interests throughout the Hudson Valley regarding the cleanup of PCBs from the Hudson River. Since its first official meeting in January 2004, the CAG has met monthly. All general meetings of the CAG are open to the public and are usually held on the fourth Thursday of the month.

General information on the Hudson River PCBs Site CAG can be found on www.epa.gov/hudson/cag/index.html. Current and archived CAG meeting agendas, summaries and presentations can be found on www.epa.gov/hudson/cag/meetings.htm.

Project Roadmap Updated (August 2004)

During the design of the dredging project, more than 40 technical documents, data summary reports, and work plans will be developed which, when approved by EPA, will provide the details for the Hudson River cleanup.

Project milestones are described in the Project Roadmap document – a partial listing of the reports that will be prepared during design. Each listing contains a description of the major issues addressed in each report and highlights some of the planned public involvement activities. Also provided is a description of some of the design documents that have already been completed.

The Project Roadmap also illustrates the general sequence of design events leading up to Phase I dredging. The dates provided in the Project Roadmap are an estimate of when EPA will release the documents to the public for public review or comment and when EPA expects to approve them. The Project Roadmap is periodically updated to reflect changes in the schedule for technical work completion. It was updated in May and in August 2004.

Future Documents to Watch For During the Next 4 to 6 Months

Supplemental Data Summary Report for Phase 1 Dredging

This report will combine the data presented in the Draft Data Summary Report for Year 1 with the data collected in 2003 for areas in River Sections 1 and 2 that are currently being evaluated for Phase 1 dredging.

Dredge Area Delineation Report for Phase 1 Dredging

This report will identify areas that will be dredged in the three locations currently being evaluated for Phase 1 dredging: (1) the northern part of River Section 1; (2) near Griffin Island in River Section 1; and (3) near Northumberland in River Section 2. This report will describe where and to what depth, within these areas, dredging will occur. (Note: Dredge areas may be modified during the intermediate Remedial Design Phase to address design considerations such as bridges abutments, buried utilities, sensitive habitats, etc.).

Target Area Identification Report for Phase 1 Dredging / EPA's Selection of Phase 1 Dredge Areas

Of the areas identified for dredging in the Dredge Area Delineation Report for Phase 1 Dredging, this report will provide GE's recommendation for areas to be dredged during Phase 1. EPA will use this document to identify areas to be dredged during Phase 1. Areas identified for dredging in the Dredge Area Delineation but not selected for Phase 1 will be dredged during Phase 2.

Data Summary Report for Year 2 Sampling

This report will present sediment sampling results for areas in River Sections 1, 2 and 3 that

were sampled as part of the Year 1 and Year 2 Sediment Sampling Programs.

Facility Siting Report (Final)
This report will be an update of the Draft Facility Siting Report that was released for public review and comment in May 2004. The Draft Facility Siting Report summarizes the facility siting process and describes how final candidate sites were evaluated and selected. The final report will be updated based on review of comments received during the public comment period on the Draft Facility Siting Report.

Facility Siting Decision Document
EPA will issue a document notifying the public on its final decision on the dewatering facility location(s) for Phase 1 and Phase 2 dredging and explain the reasons for the decision.

Habitat Delineation and Assessment Report for Phase 1 Dredging
This report will identify the findings of the habitat delineation and assessment that documents the existing range of habitat conditions in the river and along the shoreline that could be affected by dredging. The work will support the design of habitat replacement and reconstruction following dredging.

For a full listing of future documents, as well as those that have been completed, see the Project Roadmap at www.epa.gov/hudson/roadmap.htm.

Results of the 2003 Sediment Sampling Program Highlighted (July 2004)

In July, EPA issued a fact sheet about the sediment sampling program that was conducted in 2003 by GE to support the design of the dredging project. GE is conducting the sediment sampling under an agreement with EPA. The multi-year program began in 2002 and will continue through 2004. Information about the 2002 sediment sampling program was summarized in an October 2003 fact sheet, *Sediment Sampling Program 2002 Data Collection*. Information about the 2003 sediment sampling program was summarized in a July 2004 fact sheet, *Sediment Sampling Program 2003 Data Collection*. Both fact sheets are available at www.epa.gov/hudson/sediment_sampling.htm.

More than 33,000 sediment samples were collected in 2003 from more than 5,000 locations. Out of the 33,126 sediment samples collected in 2003, 24,337 were analyzed for PCBs. The remaining samples, most of which were collected from 36 inches or deeper below the sediment surface, were archived and may be analyzed later, if necessary.

The median concentration of the PCB measurements in the 2003 samples - the level at which half the samples are above and half are below - was 2.6 parts per million (ppm). Among the samples analyzed for PCBs, 26% (or 6,210 of 24,337) were above 20 ppm. 17% (or 4,017 of 24,337) were above 50 ppm. 109 of the 24,337 samples - less than 1% - were greater than 1,000 ppm and none of the samples were greater than 10,000 ppm.

As presented in the *Sediment Sampling Program 2002 Data Collection* fact sheet, the median concentration of the PCB measurements in the 2002 samples was 2.7 ppm. Among the samples analyzed for PCBs, 29% (or 1,487 of 5,105) were above 20 ppm; 17% (or 857 of 5,105) were above 50 ppm. Thirty-five of the 5,105 samples – less than 1% – were greater than 1,000 ppm and two of the 5,105 samples were greater than 10,000 ppm.

The data collected will help determine the distribution of PCBs in the sediment, refine estimates of the amount of PCBs in the sediment, refine the areas to be dredged, and establish chemical and physical properties of the sediment to evaluate engineering options for sediment removal and processing.

Information regarding the 2003 sediment sampling program will be in two documents: the *Data Summary Report for Candidate Phase 1 Areas* and the *Data Summary Report for Phase 2 Areas*. EPA is evaluating the draft documents. The documents will be made available to the public after they are finalized.

GE continues to collect samples from more than 2500 additional locations throughout the three river sections in 2004 to fill data gaps from the previous years of sampling.

EPA Issues Decision on GE Dispute (July 2004)

On July 22 EPA Regional Administrator Jane M. Kenny issued a final decision on issues that were disputed by GE with respect to EPA's comments on GE's draft Phase 1 Dredge Area Delineation Report and draft Phase 1 Target Area Identification Report. EPA's final decision was issued in accordance with the dispute resolution process that is laid out in the Administrative Order on Consent (AOC) under which GE is designing the Hudson River PCBs dredging project.

GE requested an EPA decision on the disputed issues in a May 21 letter to EPA.

To view EPA's decision and technical information supporting it, visit www.epa.gov/hudson/ge_2004_dispute/index.html.

Contacts & Feedback:

If you have comments on this progress report, or have suggestions for future progress reports, please contact David Kluesner, Community Involvement Coordinator, U.S. EPA, Region 2, at (212) 637-3653 or e-mail at kluesner.dave@epa.gov.

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Information Repositories for the Hudson River PCBs Site

Adriance Memorial Library
93 Market Street
Poughkeepsie, NY 12601
(845) 485-3445

U.S. EPA Region 2
Superfund Records Center
290 Broadway, 18th Floor
New York, NY 10007
(212) 637-4308

U.S. EPA Hudson River Field Office
421 Lower Main Street
Hudson Falls, NY 12839
(518) 747-4389

New York State Library
CEC Empire State Plaza
Albany, NY 12230
(518) 474-3854

Crandall Public Library
251 Glen Street
Glens Falls, NY 12801
(518) 792-3360

Saratoga County EMC
50 West High Street
Ballston Spa, NY 12020
(518) 885-6900

Edgewater Public Library
49 Hudson Avenue
Edgewater, NJ 07020
(201) 224-6144